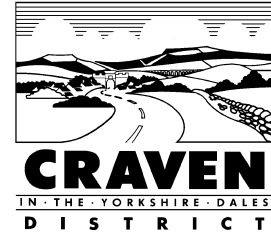


## **Audit and Governance Committee –**

# **EXEMPTION FROM CONTRACT PROCEDURE RULES TO CONSTRUCT A NEW BUILDING TO REPLACE EXISTING PAVILION USING SECTION 106 MONIES BY SKIPTON COMMUNITY SPORTS HUB**



Report of the Chief Executive

Lead Member Robert Ogden

Ward(s) affected: Aire Valley with Lothersdale

### **1. Purpose of Report:**

To request an exemption from the Contract Procedure Rules to construct a new building to replace the existing pavilion using section 106 monies by Skipton Community Sports Hub.

### **2. Recommendations:**

Members are recommended to:

- 2.1 In accordance with clause 6.4 of the Contract Procedure Rules, grant an exemption to the Rules to permit spend over the £50,000 threshold without the work being tendered as required by Rule 7.10.

### **3. Background:**

- 3.1 Craven District Council's 2016 Playing Pitch Strategy (PPS), refreshed January 2022, identified the need for a multi-sports hub site to improve the quality and quantity of provision at one of the most accessible and largest sites in the district. A hub site would offer the opportunity for Skipton Cricket Club and Skipton Juniors to collaborate and benefit from improved ancillary facilities, as well as other local sports groups.
- 3.2 Although there is a general downward trend for cricket in the Craven area, Skipton Cricket Club (Skipton CC) continues to grow both its adult and junior provision, with particular emphasis on women and girls and local people with disabilities. It also hosts several cricket festivals for local teams and schools.

NOT FOR PUBLICATION as Appendix \$B is exempt by virtue of Category 3 (financial or business affairs of any particular person) of Part 1 of Schedule 12A of the Local Government Act 1972.	<b>AGENDA ITEM 6</b>
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- 3.3 Skipton Junior Football Club (Skipton Juniors) is the largest junior football in the Craven area but currently has no access to their own pitches or support buildings. They have teams across all age groups from Under 7/8s through to Under 17/18s, including a large girls' membership.
- 3.4 Skipton CC and Skipton Juniors have been working on developing this project since 2016. They have formalised this relationship by forming the Skipton Community Sports Hub (SCSH), a Community Interest Organisation (CIO) which has trustees from both Clubs.
- 3.5 The SCSH have developed the proposals in consultation with local groups and councillors and have achieved detailed planning consent for the new building. They have also liaised closely with the England & Wales Cricket Board and West Riding Football Association regarding the design. Funding applications have been submitted to both of these organisations with final decisions expected before the end of 2022.
- 3.6 Plans for the new pavilion can be found in Appendix A.

4. **Exemption from the Contract Procedure Rules:**

- 4.1 Section 106 (S106) agreements are legal agreements between Local Authorities and developers. They are linked to planning permissions and provide contributions towards the costs of providing community and social infrastructure, the need for which has arisen as a result of the new development taking place.

106 monies are received by Craven District Council and under the Public Open Space element is allocated to asset holders such as Skipton Community Sports Hub. The funding must be used for capital projects, must be open to the general public and have wide public and community benefit. The spend is subject to CDCs procurement rules.

Skipton Community Sports Hub are in receipt of S106 monies from the Burnside Phase 2 Development under the Public Open Space element of the S106 agreement.

- 4.2 Under the Contract Procedure Rules, a tender exercise would normally be carried out to secure the services of a contractor. However, it is recognised that under certain circumstances there are occasions when it is not appropriate to seek tenders provided that propriety and value for money can be demonstrated.
- 4.3 Skipton Community Sports Hub have already undertaken a tender exercise that resulted in medium-scaled suppliers providing prohibitively expensive prices that would make the project unviable.

The background of construction materials cost inflation has also made this a difficult backdrop.

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A copy of the construction costs received through the tender exercise in April 2020 can be found in exempt Appendix \$B.

- 4.4 Skipton Community Sports Hub have since identified three local trusted suppliers who have provided quotes. The Community Sports hub have faced significant challenges getting local builders to quote a fully “fixed price” due to materials inflation.

A copy of construction costs and quotes from 2022 are included in exempt Appendix \$B.

## 5. **Implications**

### 5.1 **Financial Implications**

Total estimated cost of project is included in exempt Appendix \$B.

#### **Other funders**

English Cricket Board (£100,000 tbc – application submitted).

Football Foundation (£250,000 tbc – application submitted)

(Funding from S106 monies from Burnside Phase 2 development £382,622.03).

Skipton Community Sports Hub has also raised approx. £15,000 through various events including an Easter Raffle, Beer Tasting event, Sheep Day stall plus Magic Little Grant.

### 5.2 **Legal Implications**

The Contract Procedure Rules provide for the Committee to grant an exemption from any of the provisions of the Rules if satisfied that the exemption is justified in special circumstances (rule 6.4) and the exemption does not result in a breach of European or UK law.

### 5.3 **Contribution to Council Priorities**

Supporting the wellbeing of our communities – Developing vibrant, connected and healthy communities.

### 5.4 **Risk Management**

There is a risk with the complexity of multiply funders, any delays or increase in costs will jeopardise the project.

Although the competitive tender process has a tighter structure and audit trail, in the process, suppliers are asked about the quality of their work in addition to their quoted cost. The quality and cost elements are scored and weighted (e.g., 60% quality, 40% cost) as appropriate, however, in this instance, the tender would be weighted at 100% cost as the quality of the suppliers is already known and would

make no difference to the award. At this point a full competitive tender process (focussed 100% on quality) would probably result in the same outcome in terms to the builder appointed.

The full tender process does not allow the Community Sports Hub to get the most competitive prices available in the local market. It has proven very difficult to obtain competitive tenders in the current construction market.

It is worth noting that £382,622.03 is below the UK procurement thresholds for building work.

### **Consultations with Others**

#### **Other stakeholders on the Sandylands site:**

Coulthurst Trust  
Skipton Church Institute Cricket Club  
Skipton Rugby Football Club  
Sandylands Sports Centre Management Committee  
Skipton Tennis Centre  
Dalesway Developments (current owners of the LMS playing pitch)  
North Yorkshire County Council

#### **Local elected members**

Councillor Solloway  
Councillor Rose  
Councillor Heseltine  
Councillor Madeley  
Councillor Noland

#### **National Governing Sports Bodies**

England & Wales Cricket Board  
West Riding Football Association

#### **Local schools / colleges**

Craven College  
Erymsted's Grammar School  
Skipton Girls' High School  
All Skipton Primary Schools  
Brooklands Special Needs School

#### **Local community organisations**

Skipton Step Into Action  
U3A Walking Netball, Table Tennis, Racketball  
Broughton Road Community Centre  
SELFA  
Dementia Forward  
Carers Resource

6. **Access to Information: Background Documents**

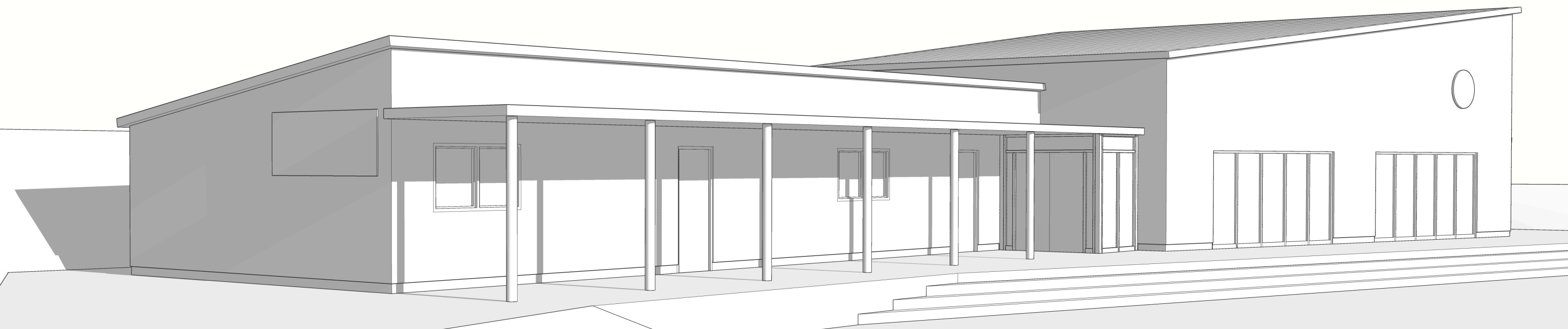
7. **Author of the Report –**

Elaine Hiser, Sports Development Officer  
Telephone: 01756 706391  
Email: ehiser@cravendc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices**

Appendix A - Skipton Community Sports Hub Drawing Package Revision E.  
Appendix \$B – Project Costs, Tender Results and Current Quotes (EXEMPT).



SKIPTON COMMUNITY SPORTS HUB  
DRAWING PACKAGE

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SEPTEMBER 2022  
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SKIPTON COMMUNITY  
SPORTS HUB



DRAWING PACKAGE

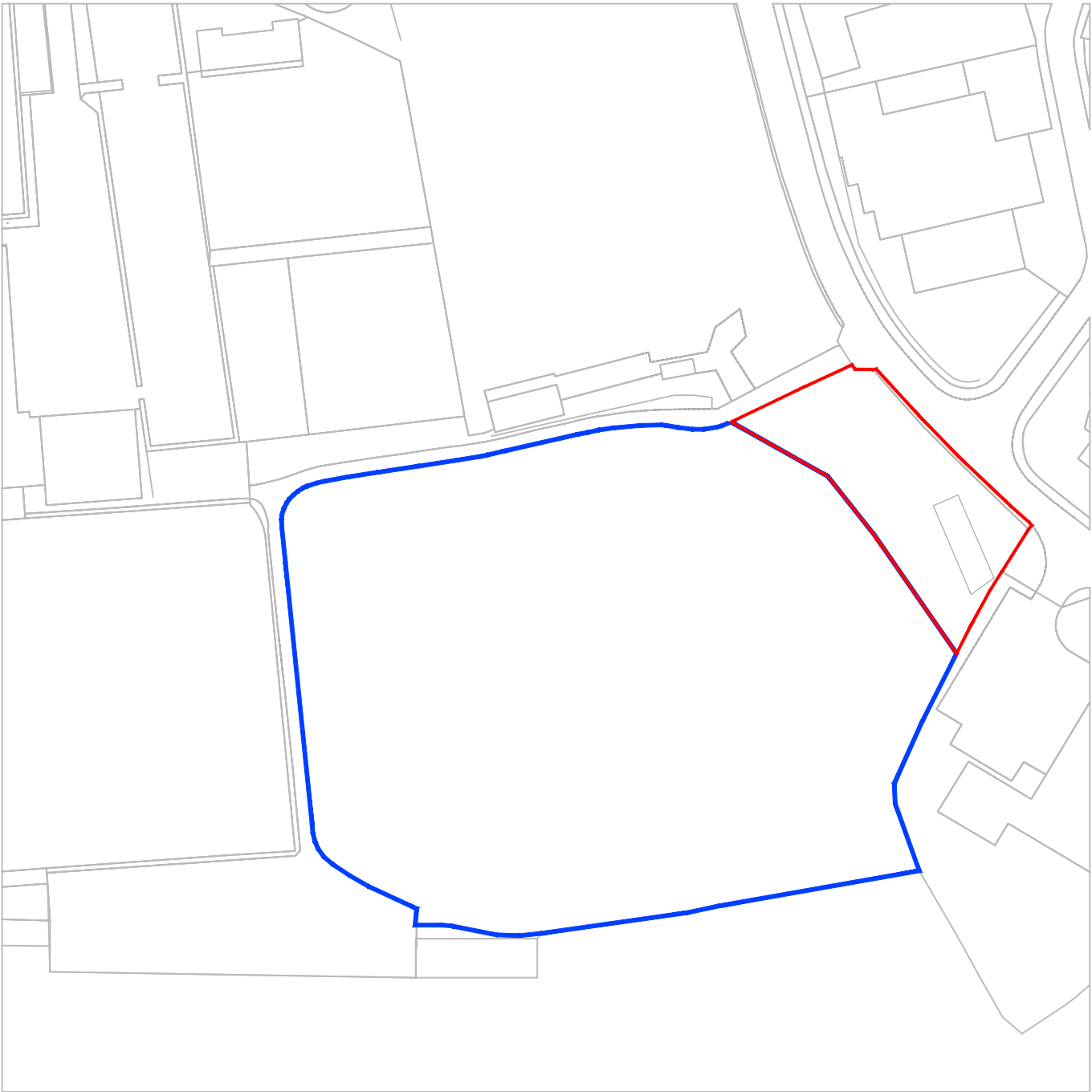
SEPTEMBER 2022

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LOCATION PLAN\_1:1250 @ A3

-  Site Area: 0.41 Hectares
-  Site Ownership Boundary



Scale 1:1250 Metres  
0 10 20 30 40 50

TOPOGRAPHICAL SITE SURVEY AS EXISTING\_1:250 @ A3

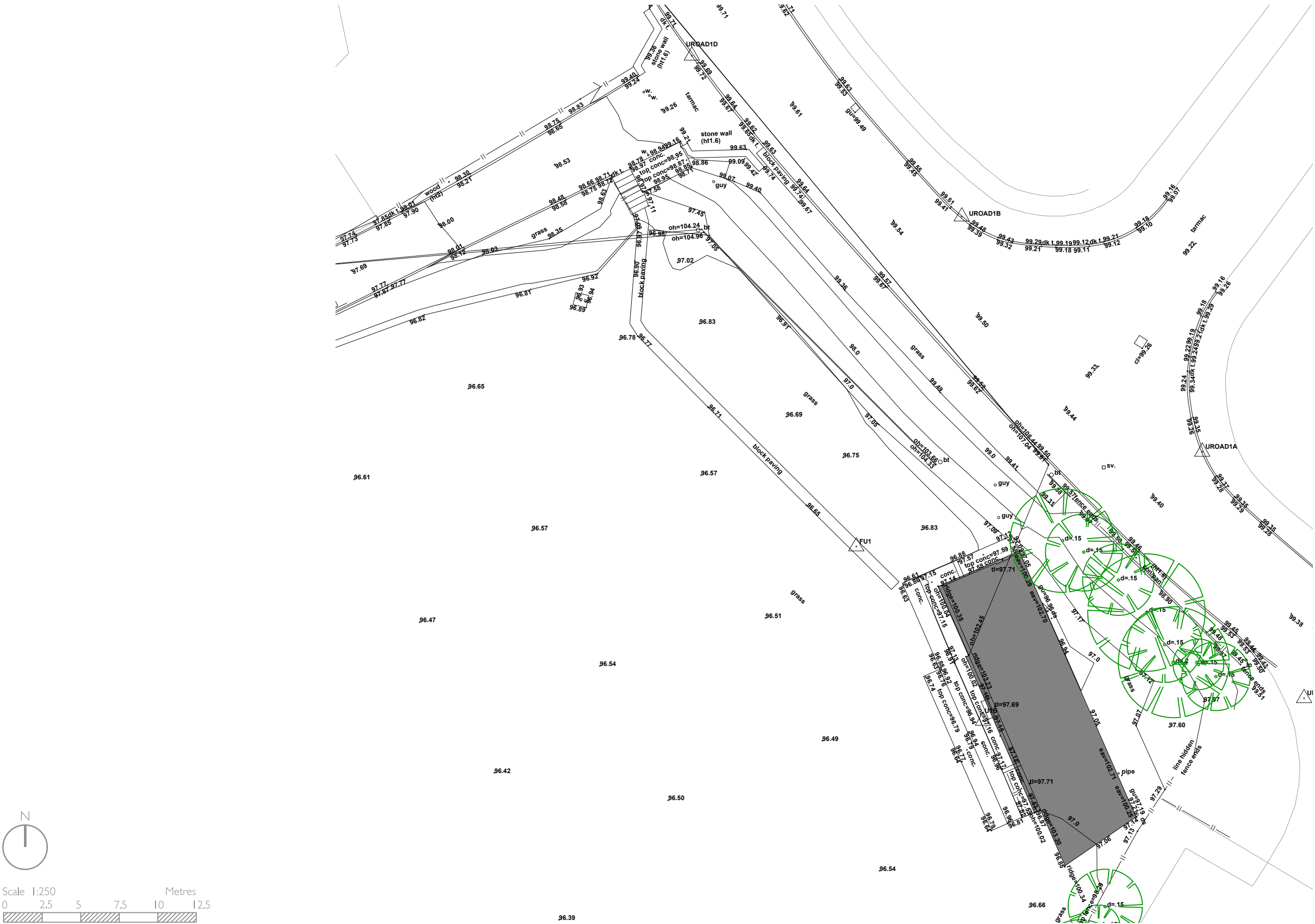
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SPORTS HUB

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SITE PLAN AS EXISTING\_1:250 @ A3

KEY

- 1 Cricket Pitch
- 2 Existing Pavilion
- 3 Existing Viewing Terrace
- 4 Existing Access Road
- 5 Existing Pedestrian Staircase
- 6 Existing Pedestrian Access

 Planting



SITE PLAN AS PROPOSED\_1:250 @ A3

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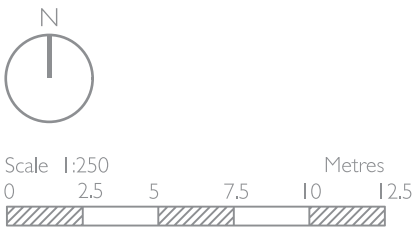
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KEY

- 1 Cricket Pitch
- 2 Proposed Pavilion
- 3 Proposed Viewing Terrace
- 4 Existing Access Road
- 5 Proposed Pedestrian Staircase
- 6 Proposed Pedestrian Ramped Access
- 7 Proposed Drop Off Area
- 8 Proposed Refuse Area
- 9 Proposed Planted Hedgerow

 Planting

Gross Internal Area: 328 m2



SKIPTON COMMUNITY  
SPORTS HUB

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ROOF PLAN AS PROPOSED\_1:250 @ A3

KEY

- ① Cricket Pitch
  - ② Proposed Pavilion
  - ③ Proposed Viewing Terrace
  - ④ Existing Access Road
  - ⑤ Proposed Pedestrian Staircase
  - ⑥ Proposed Pedestrian Ramped Access
  - ⑦ Proposed Drop Off Area
  - ⑧ Proposed Refuse Area
  - ⑨ Proposed Planted Hedgerow
  - ⑩ Profiled Metal Roof
  - ⑪ Single Ply Flat Roof
  - ⑫ Velux Rooflights
- ⊗ Planting



Scale 1:250  
0 2.5 5 7.5 10 12.5  
Metres

FLOOR PLAN AS PROPOSED\_1:200 @ A3

SKIPTON COMMUNITY  
SPORTS HUB

DRAWING PACKAGE

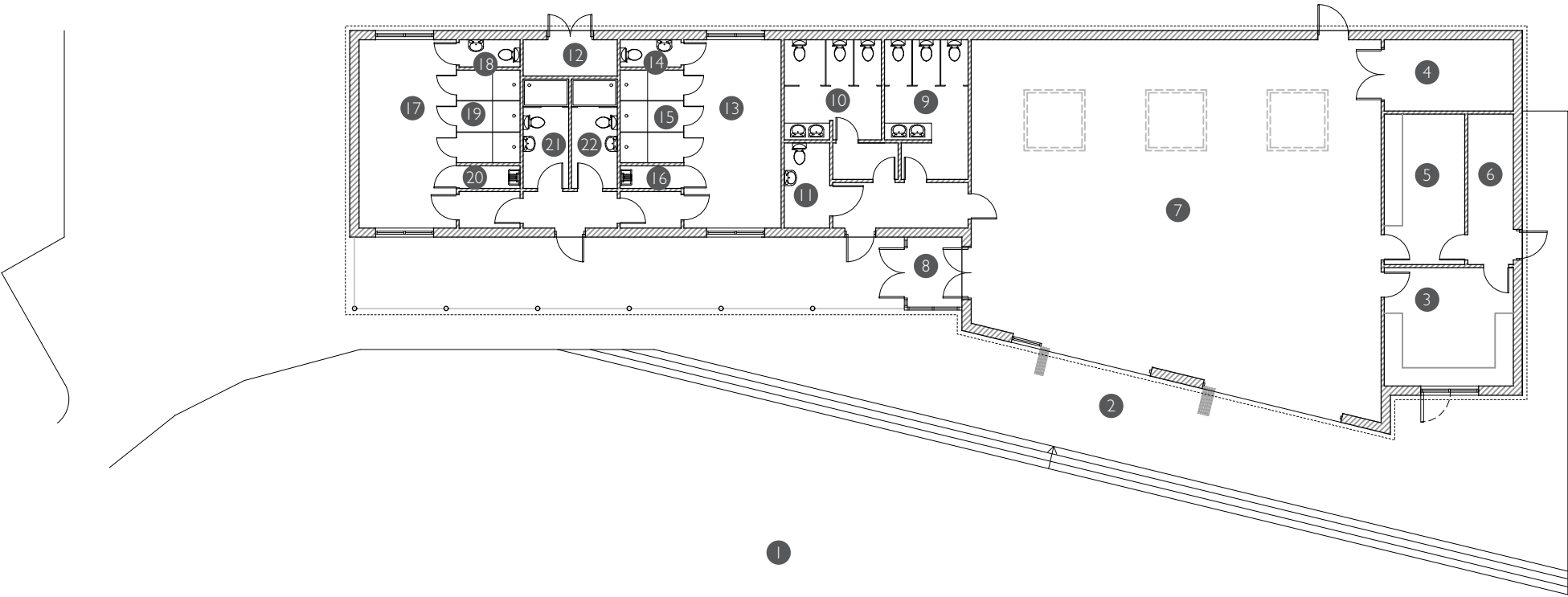
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KEY

- 1 Cricket Pitch
- 2 Proposed Viewing Terrace
- 3 Kitchen (16 m2)
- 4 Storage
- 5 Bar (13 m2)
- 6 Bar Store
- 7 Function Room (148 m2)
- 8 Lobby
- 9 WC 1
- 10 WC 2
- 11 Disabled WC
- 12 Plant
- 13 Changing Room 1 (20 m2)
- 14 WC 3
- 15 Showers 1
- 16 Cleaners Store 1
- 17 Changing Room 2 (20 m2)
- 18 WC 4
- 19 Showers 2
- 20 Cleaners Store 2
- 21 Ump/Ref 1 (6 m2)
- 22 Ump/Ref 2 (6 m2)



Scale 1:200  
0 2 4 6 8 10  
Metres

SKIPTON COMMUNITY  
SPORTS HUB

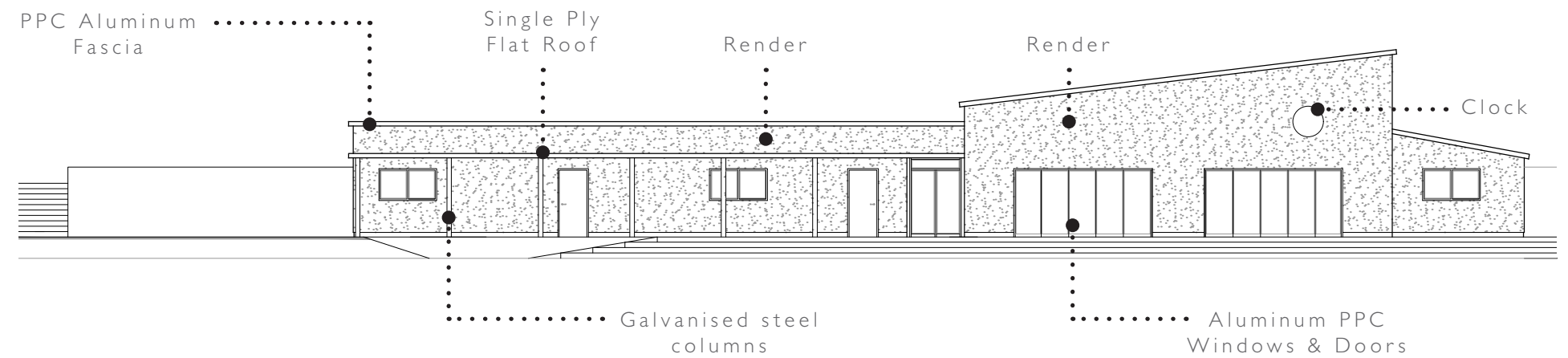
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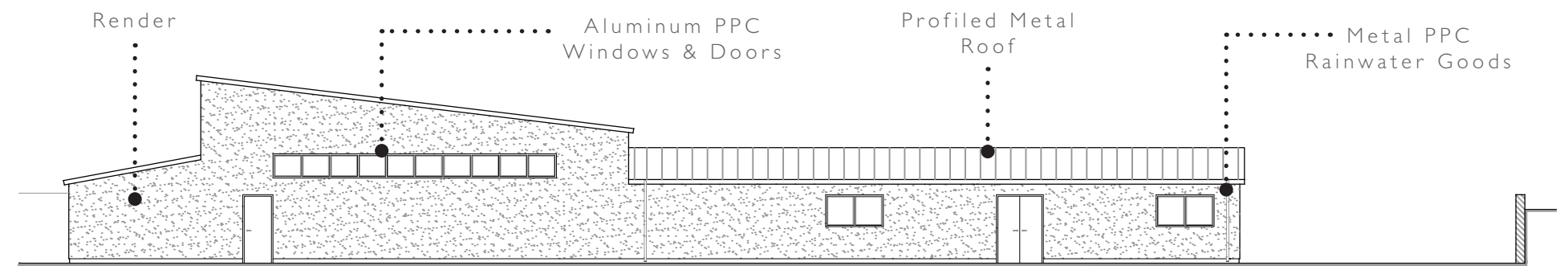
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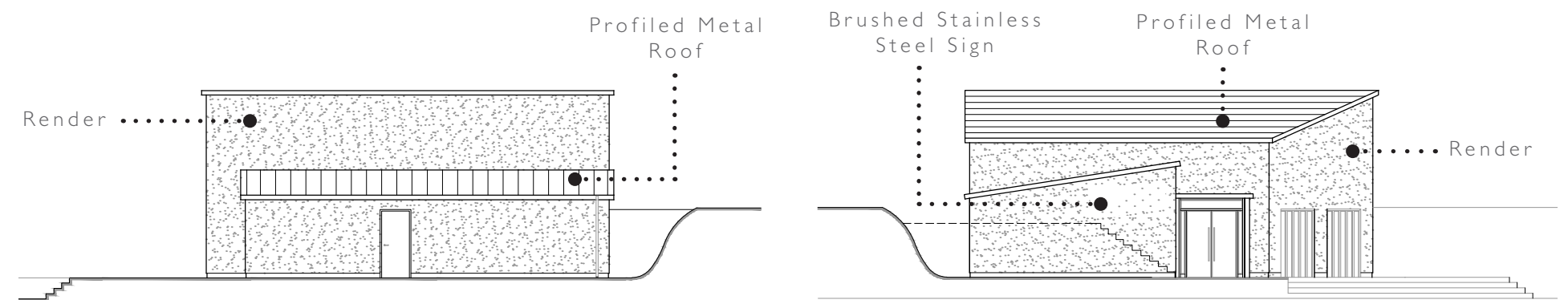
### ELEVATIONS AS PROPOSED\_1:200 @ A3



FRONT ELEVATION  
(SOUTH WEST)



REAR ELEVATION  
(NORTH EAST)



SIDE ELEVATION  
(SOUTH EAST)

SIDE ELEVATION  
(NORTH WEST)

Scale 1:200  
0 2 4 6 8 10 Metres

PROPOSED DRAINAGE PLAN\_1:250 @ A3

- KEY
- Soakaway
  - Foul Water
  - Planting



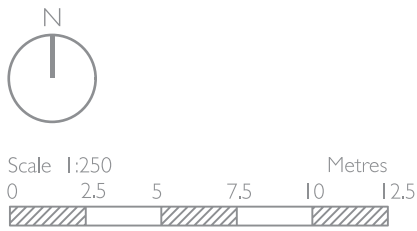
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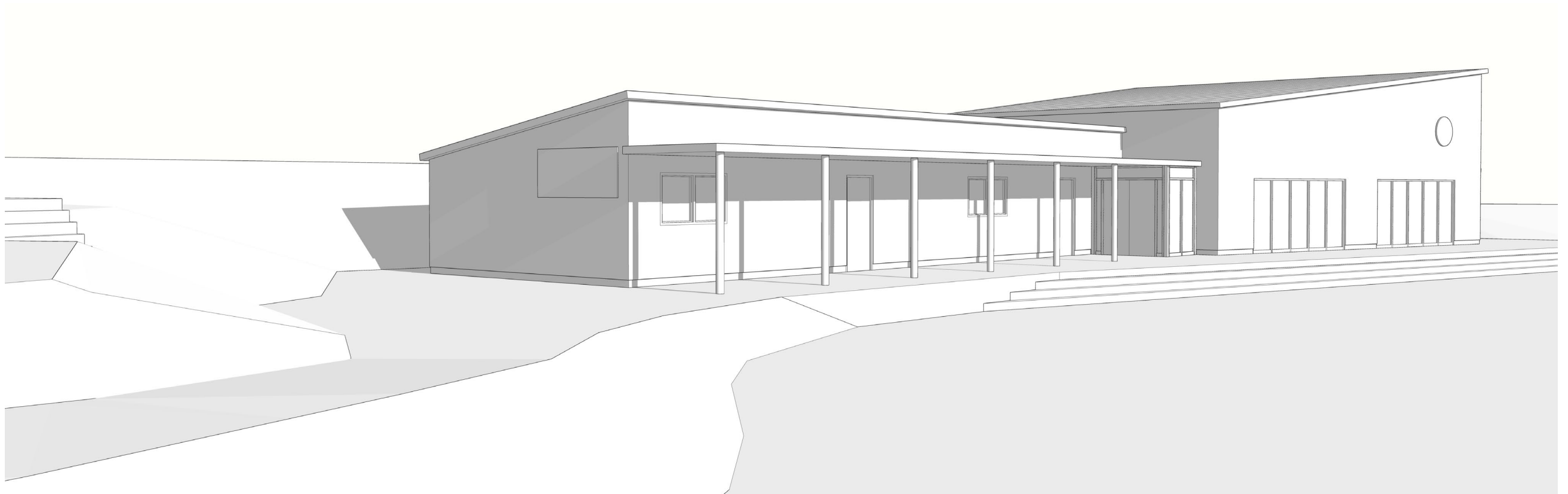
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## KEY VIEWS



Proposed Pavilion on Approach



Proposed Pavilion Front Facade



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